

### **REMARKS**

Claim 19 stands rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzaki (JP 03-132910 A). In response, Applicants amended claim 19 to clarify that the protective film has a recess which extends from the thin-film element part towards the distal end, and that the recess is lower than the rail top surface and has a width defined by a width of the rail, and respectfully traverse.

The Examiner asserts that stepped portions 111, 112, 121, 122 shown in Fig. 5 (and Fig. 2) of Matsuzaki correspond to the recess recited in claim 19. However, stepped portions 111, 112, 121, 122 of Matsuzaki do not correspond to the recess, as now recited in amended claim 19. Rather, the stepped portions 111, 112 (or 121, 122) of Matsuzaki are provided on both sides of the rail 11 (or 12), and extend in the longitudinal direction of the rail 11 (or 12) as shown in Figs. 4 and 5. Matsuzaki does not teach (or suggest) a recess which extends from the thin-film magnetic head element 2 towards the distal end of the rail 11 (or 12) located on the end opposite from the end provided with the thin-film magnetic head element 2. Instead, Matsuzaki teaches that the stepped portion 111 (112, 121, 122) extends from the thin-film magnetic head element 2 in a direction perpendicular to the longitudinal direction of the rail 11 (or 12).

In contrast, Applicants clarified in claim 19 that the protective film 36 has a recess, (e.g. 43a, 43b, 43c) which extends from the thin-film element part 35 toward the distal end of the rail. In addition, the recess is lower than the rail top surface 33a, 33b and

has a width defined by a width of the rail. (See FIGs. 3A, 3B, 14A, 16A, and 16B). Therefore, since Matsuzaki fails to disclose the recited structure of amended claim 19, withdrawal of the §102 rejection is respectfully requested.


Claim 22 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki. Since claim 22 depends upon claim 19, it necessarily include all of the features of its associated independent claim plus additional features. Thus, Applicants submit that the §103 rejection of claim 22 has also been overcome for the same reasons mentioned above to overcome the rejection of independent claim 19. Applicants respectfully request that the §103 rejection of claim 22 also be withdrawn.

New claims 27-29 recite further features of the present invention. More specifically, claim 27 depends from claim 19 and recites that the recess has a top surface substantially parallel to the rail top surface. Claim 28 depends from claim 19 and recites that the recess has a tapered top surface. New claim 29 depends from claim 19 and recites that the recess has a curved top surface. Since these features are not disclosed (or suggested) by the prior art references of record, allowance of new claims 27-29 is earnestly solicited.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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